

Attorney's Docket No.: 9105-2IP

IPW
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Fearghus O'Foghluudha

Group Art Unit: 1616

Filed: July 11, 2000

Examiner: Michael G. Hartley

Serial No.: 09/614,490

For: **RADIOACTIVE SOURCE MATERIALS FORMABLE INTO VARIOUS SHAPES**

Date: April 26, 2006

Attn: Office of Initial Patent Examination
Customer Service Center
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

It has recently been discovered that the Official Filing Receipt (copy attached) for the above referenced application incorrectly omits the Continuing Data as Claimed by Applicant.

Applicant respectfully requests that the Continuing Data be corrected to read "This application is a continuation-in-part of U.S. Application No. 09/506,611, filed February 18, 2000, which claims the benefit of U.S. Provisional Application No. 60/143,296 filed July 12, 1999" and that a corrected Filing Receipt be issued. In support of the request copies of the first page of the specification and the application transmittal are enclosed herewith showing that the claim for priority was properly made by the Applicant at the time of filing.

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

Respectfully submitted,

Laura M. Kelley
Registration No. 48,441

USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
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Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Initial Patent Examination, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on April 26, 2006.

Carey Gregory



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMUNICATIONS SECTION
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20503-1430
www.uspto.gov

FMS
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/614,490	07/11/2000	3738	345	9105-21-IP	1	4	1

20792
MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627

CORRECTED FILING RECEIPT



OC000000005533020

Date Mailed: 11/06/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Fearghus O'Foghludha, Residence Not Provided;

Continuing Data as Claimed by Applicant

Foreign Applications

Title

Radioactive source materials formable into various shapes

Preliminary Class

600

Data entry by : SHEFFEY, CATHERINE

Team : OIPE

Date: 11/06/2000



DOCKETED	
By	<i>efd</i>
Date	<i>11/10/00</i>

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231



RADIOACTIVE SOURCE MATERIALS FORMABLE INTO VARIOUS SHAPES

Cross Reference to Related Applications

This application is a continuation-in-part of U.S. Application No. 09/506,611, filed February 18, 2000, which claims the benefit of U.S. Provisional Application No. 60/143,296 filed July 12, 1999, the disclosures of each are hereby incorporated herein
5 by reference.

Field and Background of the Invention

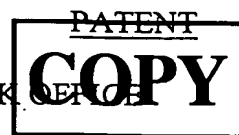
The present invention relates to formable radionuclide sources of beta or gamma radiation, and particularly the use of such sources in industrial or medical
10 devices.

Encapsulated, usually described as "sealed", radionuclide sources of both beta and gamma radiation are widely used in industry and medicine. Typical examples include: (a) sources for thickness gauging, for process control, for weld inspection; for radiation processing and curing, for static electricity elimination and for industrial
15 and medical instrument development, evaluation and calibration; and (b) sources for human radiation therapy by interstitial, intra-cavitary, intra-vascular, and surface methods; for external surface or sub-surface irradiation by means of nuclide-bearing applicators; for teletherapy; and for radiation detector adjustment, efficiency determination and other calibration or dosimetric purposes.

20 The masses, and hence the volumes of radioactive material in many commonly used irradiation devices, are small. For example, the mass of a pure P^{32} sample whose activity is 1 mCi (millicurie) is less than 10^{-10} g (grams) and even in the extreme case of Ra^{226} whose atomic mass and half life are large, a 1 mCi sample has a mass of only about 1 mg (milligram). To manufacture sources of customary activities
25 in physical dimensions appropriate to their proposed uses, it is therefore frequently



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



ATTY DOCKET NO.: 9105-2IP

DATE: July 11, 2000

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR 1.53(b))**

BOX PATENT APPLICATION

Commissioner for Patents

Washington, DC 20231

Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is:

- ☐ a patent application
☐ a Continuation ☐ a Divisional ☒ a Continuation-in-Part (CIP)
of prior application no.: 09/506,611; filed February 18, 2000, which claims the benefit of U.S. Provisional Application No. 60/143,296 filed July 12, 1999
☒ A Small Entity Statement(s) was filed in the prior application; Status still proper and desired.

Inventor(s) or Application Identifier:

Fearghus O'Foghludha
Durham, North Carolina

Entitled: **RADIOACTIVE SOURCE MATERIALS FORMABLE INTO VARIOUS SHAPES**

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 10 pages of Specification (including 4 claims)
3. ☐ 1 sheet of Drawings (35 USC 113)
4. ☐ Oath or Declaration
 - a. ☐ newly executed (*original or copy*)
 - b. ☐ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 5 Below]
 - c. ☐ **DELETION OF INVENTOR(S)** (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Microfiche Computer Program (*Appendix*)
7. ☐ Assignment papers (*cover sheet(s) and document(s)*)
8. ☐ Small Entity Statement(s)
9. ☐ Information Disclosure Statement, PTO-1449, and references cited
10. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
11. ☐ English Translation Document
12. ☐ Certified Copy of Application No. ; Filed

13. ☐ Sequence Listing/ Sequence Listing Diskette
 a. ☐ computer readable copy
 b. ☐ paper copy
 c. ☐ statement in support
14. ☐ An Associate Power of Attorney
15. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
16. ☒ Other: Application Filed Under 37 CFR §1.41(c)

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The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$345.00	\$690.00
TOTAL CLAIMS	4 - 20 =	0	x 9 = \$	x 18 = \$
INDEP CLAIMS	1 - 3 =	0	x 39 = \$	x 78 = \$
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 130 = \$	+ 260 = \$
If the difference in Col. 1 is less than zero, Enter "0" in Col. 2			Total \$345	Total \$

- ☒ A check in the amount of \$345.00 to cover the filing fee is enclosed.
- ☐ A check in the amount of \$ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$
- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
- b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,


 E. Michael Sajovec
 Registration No. 31,793

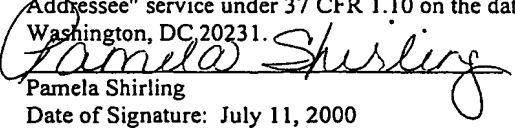
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CERTIFICATE OF EXPRESS MAILING

Express Mail Label No.: EL481793842US
 Date of Deposit: July 11, 2000

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Commissioner For Patents, Washington, DC 20231.


 Pamela Shirling
 Date of Signature: July 11, 2000